IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7574 of 1988

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

DAHYABHAI REVNIDAS PATEL

Versus

CHARITY COMMISSIONER

Appearance:

MR JR NANAVATI for Petitioner

M/S PATEL ADVOCATES for Respondent No. 1

Mrs. Manisha Lavkumar, Ld AGP for Respondent No. 2

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI

Date of decision: 18/02/2000

ORAL JUDGEMENT

The petitioner was working as part-time Sweeper-cum-Waterman in the office of the Charity Commissioner. He made an application for regularisation

of his services as a Peon. The request was turned down by the office of the Charity Commissioner. It was informed to the petitioner that, in accordance with the existing executive instructions, he had by that time not completed ten years of service, and there was also bar of age. From the record annexed with the petitioner, it appears that, the bar of age was relaxed subsequently. The petition is pending in this Court since year 1988, and the petitioner has not amended the petition to disclose what is the existing position with regard to his services. The respondents have also failed to file any reply. In the facts & circumstances of the case, the petition is disposed of with the direction to the respondents to consider petitioner's case for regularisation of his services as Peon, if he is in the meantime not regularised on this or any other post. Rule made absolute. No costs.

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